

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: TRIBUNE COMPANY FRAUDULENT  
CONVEYANCE LITIGATION

MARC S. KIRSCHNER, as Litigation Trustee for the  
TRIBUNE LITIGATION TRUST,

Plaintiff,

-v-

DENNIS J. FITZSIMONS, *et al.*,

Defendants.

Consolidated Multidistrict Litigation

No. 11-md-2296 (RJS)  
No. 12-mc-2296 (RJS)  
No. 12-cv-2652 (RJS)

ORDER


RICHARD J. SULLIVAN, District Judge:

This multi-district litigation is comprised of claims arising from the 2007 leveraged buyout and 2008 bankruptcy of the Tribune Corporation. In advance of these events, Tribune's Board created a Special Committee to consider a range of strategic transactions. The Special Committee included Tribune's independent directors Betsy Holden, Enrique Henrandez Jr., Robert Morrison, William Osborn, Christopher Reyes, Dudley Taft, and Miles D. White (the "Independent Directors"), and the Committee ultimately voted to approve the leveraged buyout. The Court is now in receipt of a joint letter from Plaintiff Marc S. Kirschner, in his capacity as Tribune's litigation trustee (the "Trustee"), and the Independent Directors raising a discovery dispute. (Doc. No. 7188, 11-md-2296 (RJS); Doc. No. 5523, 12-cv-2652 (RJS).) At issue in this dispute is whether the Trustee properly controls the privilege over attorney-client communications between the Special Committee and its outside counsel, Skadden, Arps, Slate, Meagher & Flom LLP.

Because the parties make clear that their joint letter “does not represent a complete statement of relevant facts or each side’s arguments,” the Court concludes that it would benefit from additional submissions. Accordingly, IT IS HEREBY ORDERED THAT the Trustee shall file his motion to compel no later than December 15, 2017. IT IS FURTHER ORDERED THAT the Independent Directors shall file their opposition no later than January 8, 2018. Each submission shall be no more than fifteen pages in length.

SO ORDERED.

Dated: November 29, 2017  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE